

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

RICKEY SABEDRA : CIVIL ACTION
: :
: :
v. : :
: :
SOCIAL SECURITY ADMINISTRATION : NO. 08-2486

M E M O R A N D U M

JOYNER, J. JUNE , 2008

Plaintiff, an inmate, is seeking to bring a civil action without prepayment of fees. Pursuant to 28 U.S.C. § 1915(g), a prisoner who on three or more prior occasions while incarcerated has filed an action in a federal court that was dismissed as frivolous, malicious, or for failure to state a claim upon which relief may be granted, must be denied in forma pauperis status unless he was in imminent danger of serious physical injury at the time that the complaint was filed. Abdul-Akbar v. McKelvie, 239 F.3d 307 (3d Cir.), cert. denied, 533 U.S. 953 (2001).

There are no allegations in plaintiff's complaint that would suggest that he was in imminent danger of serious physical injury at the time that this action was filed. Furthermore, prior to the filing of the instant case, plaintiff filed civil actions in the United States District Court for the Eastern District of Texas, which were dismissed as frivolous or for failure to state a claim upon which relief may be granted.¹

¹ The following civil actions were dismissed as frivolous or for failure to state a claim upon which relief may be granted by the United States District for the Eastern District of Texas: (1) Civil Action No. 9:00cv325 was dismissed as frivolous by order filed March 8, 2001; (2) Civil Action No. 9:00cv309 was dismissed as frivolous and for failure to state a claim upon

Accordingly, plaintiff's motion to proceed in forma pauperis will be denied. An appropriate order follows.

which relief may be granted by order filed January 30, 2001; and
(3) Civil Action No. 9:99cv191 was dismissed as frivolous by
order filed November 30, 1999.

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O R D E R

AND NOW, this day of June, 2008, in accordance with the accompanying memorandum, **IT IS HEREBY ORDERED** that:

1. Plaintiff's motion for leave to proceed in forma pauperis is **DENIED** pursuant to 28 U.S.C. § 1915(g);
2. The Clerk of Court shall mark this case **CLOSED** statistically.

BY THE COURT:

/S/ J. CURTIS JOYNER, J.